

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v-

CHARLES BRYANT,

Defendant(s).

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**ORDER**

The Court is in receipt of a United States Court of Appeals for the Second Circuit Mandate, remanding the above-captioned case to the Court for further proceedings in conformity with the Second Circuit's decision in United States v. Regalado, 518 F.3d 143, 149 (2d Cir. 2008) (citing United States v. Crosby, 397 F.3d 103 (2d Cir. 2005)). It is hereby

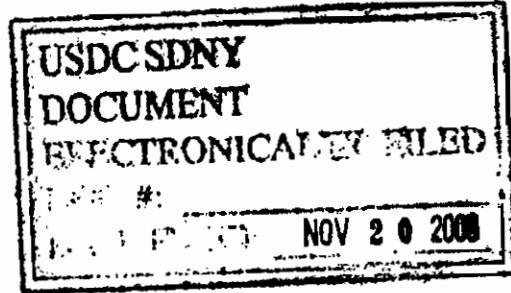
ORDERED that the request by Robin C. Smith, Esq. (Docket Entry No. 67), to be appointed as counsel for Defendant Bryant pursuant to the Criminal Justice Act, is granted, as she is a member of the Second Circuit's CJA Panel and represented Defendant on appeal;

ORDERED that the parties serve on each other and file with the Court submissions on the issue of whether the Court should resentence the Defendant on the following schedule: Defendant's submission by December 19, 2008, and the Government's submission by January 16, 2009. Defense counsel should notify the Court and the Government promptly if Defendant is not seeking resentencing (see Regalado, 518 F.3d at 149, Crosby, 397 F.3d at 118); and

ORDERED that Defendant shall also, pursuant to the Court's order dated September 2, 2008 (Docket Entry No. 66), indicate in his submission whether he has any objections to the Probation Department's analysis that no reduction in Defendant's sentence is appropriate based solely on the Guidelines amendment referenced therein.

Dated: New York, New York  
November 20, 2008

LAURA TAYLOR SWAIN  
United States District Judge



No. 06 Cr. 17 (LTS)